

**MINUTES OF THE  
WEST LAFAYETTE REDEVELOPMENT COMMISSION  
November 19, 2007**

Redevelopment Commission members present: Steve Belter, Patsy Hoyer, Larry Oates, Earle Nay, and Diane Damico. Also in attendance: Mayor-elect John Dennis, Jim Curtis, Jr. - Sheehan Development, Greg Napier and Tim Peoples - Purdue Research Foundation, City Attorney Bob Bauman, Superintendent of Parks Joe Payne, Clerk Treasurer Judy Rhodes, Tom Gall of T. J. Gall & Associates, Director of Development Josh Andrew, Fire Chief Phil Drew, City Council member Patti O'Callaghan, Charlotte Martin, Beverly Shaw, and Deborah Kervin of the Department of Development, and citizens and members of the media.

Mr. Belter called the meeting to order at 12:02 p.m. Mr. Belter asked were all the appropriate meeting notices and agendas posted and mailed? Ms. Kervin answered yes, they were.

Mr. Belter welcomed Mayor-elect John Dennis and shared some background information of the Redevelopment Commission. Mr. Belter said all of the Commission members want to do what is best for the City and to facilitate as smooth of a transition as possible. Mr. Belter continued with we have a fairly full agenda for what is normal for us, but I think all of the items on the agenda make sense to do now. If you at any point disagree or are uncomfortable with that, stop us and we'll talk about it to make sure that it still makes sense. These are things that we think need to get done for the continued business of the City. Welcome.

**OLD BUSINESS**

Mr. Nay made a motion to approve the October 22, 2007 minutes. Mr. Oates seconded. Ms. Belter asked if there were any corrections. There were none. The motion to approve the minutes as presented passed unanimously 4-0.

**NEW BUSINESS**

Mr. Belter said the first item of new business is the authorization of the trustee to pay claims. Mr. Oates made a motion to pay the claims as submitted. Mr. Nay seconded.

Tom Gall, of T. J. Gall and Associates, gave an update on the projects that he was working on. He said the Duke Energy invoice for Chauncey Square is for work that was set up in 2006, but couldn't be completed until the building was developed to a point where the lines and wires could be brought in. That was their proposed amount to the penny. They have finished and have invoiced for it. Mr. Gall said the \$53,805.37 for the

City of West Lafayette is a reimbursement for change order no. 4 for the street resurfacing project. That is for all the asphalt patching, the pervious asphalt that was done on Salisbury street. That work was not done as part of the sewer contract, but was done as part of the street resurfacing. We're going to reimburse them through the appropriation that you did for that project earlier in the year. This is for the pervious asphalt on Salisbury and some patching that was around it. It was for all of the asphalt surface on Chauncey and the pervious on Salisbury. We have another change order coming to the resurfacing contract that will pick up the sidewalk, curb and gutter and some asphalt patching and some pervious work that was just completed and you'll see an invoice for at your next meeting. Mr. Belter said and just as a word of explanation, the Chauncey Square Project is that huge development that Bill Fleischhauer is building down in the village that includes retail on the first floor, apartments on the upper floors and a parking garage. It's across the street from the Morton Community Center. Mr. Gall said it's been a continuing process of curb, gutter and sidewalk improvement in the village and this was an area that was going to be the next logical step in that project. It was basically put off knowing that they were going to come in and demolish the block and start over. So we've now completed it at this point. In the resurfacing contract for next year there will be resurfacing of those streets. It was scheduled for this year, but the construction didn't allow for that so we'll leave the streets in their current condition until the building is completed. The next phase is expected to be completed by next fall. So hopefully, we will then be able to resurface Columbia, Chauncey, the rest of Salisbury around that area.

Ms. Damico said (directed to Tom Gall) you mentioned that pervious asphalt. Is that the one where it's draining and it's taking it off of the storm sewers? Can you judge yet how well that's working? Mr. Gall said we're watching it and the water is really being absorbed. But what we really want to watch now is how it continues to function. How does it deal with salt and sand? It has not been put down in traffic areas; it's just been put down in parking areas. The idea was to put a couple of pieces of this down to see if it works over a period of time; if it holds up and does its job. It could be a huge thing for wastewater, if in other parts of the city where there is no option to separate storm and sanitary sewer, to get some of this water in the sub-grade and not go into the wastewater treatment plant, and then hopefully put off additions to that plant which are extremely expensive. Mr. Buck added that the underlying subsoil in this area of town is all gravel and it has a lot of capacity for storm water and so we feel that if we can send it there without sending it to the treatment plant or to the river, it would be a good thing. So we want to see how this performs under repeated freeze-thaw cycles. That's one of the biggest concerns for this area of the country; we have some of the highest numbers of freeze-thaw cycles. So we've put them underneath parking lanes on Chauncey. The work that's been done most recently, we put right along the curb. So that portion of the curb that's usually the gutter pan is actually pervious concrete. The water will have no other choice but to come across the street and go right into the gutter. So it won't be seen on Salisbury as it's traveling down the gutter in a moderate rain. When it's not enough to fill up and overflow the gutter, the two foot pan of impervious concrete, only the street water is getting into the parking area.

Ms. Damico asked how long of a period of time would you have before you felt comfortable using that? Mr. Buck answered the longer we go without seeing problems, the more confident we're going to be. Purdue has done some parking lots around campus as well which they're monitoring. We were just actually "courtesy copied" on the most recent reports where they took pavement cores and tested the strength of the concrete and evaluated it both in compression strength and flexure strength. They're using it for the entire parking lot so we'll have parking spaces as well as circulating traffic through the parking lot. A period of five to ten years at minimum is the window we're going to look for. Mr. Gall said basically we're taking a couple of projects that we're doing to use the opportunity to put some test panels of this down. It's been under development for a number of years. It's at the point now where the concrete and asphalt suppliers are willing to put it out there as a viable product. Mr. Buck added this is an area of combination sewer to begin with. It's going to take the load off of our system in that time when we're the most vulnerable.

Mr. Buck said the Hamstra Builders' claim is for the retainage on the temporary fire station. They've finished all the punch list items and have requested to be paid in full.

The claim for CrossRoad Engineers is for the continued preliminary grade review plan preparation and engineering for the early phase of Yeager Road north of Kalberer up to the city limits. Mr. Oates asked what's our status on that project? Mr. Buck answered we're moving forward with the planned development. It's really for the county to see what the road will look like on the preferred alignment north of the city limits where it goes through a set of the S-curves and connects up to CR 500. It's really just to set the stage set as a planning tool so that PRF will know where the road will be and what the anticipated right-of-way will be; basically to have a set of plans ready to move forward with construction.

Mr. Gall gave a couple of other updates. He said you have a packet to look at which will go out to bid utilizing the appropriation that you did the month before last. Another item that's happening in the garage is for the balance of the previous appropriation, with Western Waterproofing, who is onsite doing some column patching, we were able to do within their purchase order.

Mr. Gall continued with you may notice that the landscaping now is complete along the extension of Nighthawk Trail. It was the last item to be finished on that project. We will also be doing some inventorying on trees and their conditions out on the Midway before we get into actual winter. We'll also be taking a look at what we might need to do next spring as well as looking at some additional planting of ornamental grasses in areas that the Parks folks still think is difficult to mow within that appropriation.

Mr. Oates said with the Phase III portion of the parking garage, are we then completed on our actual repairs? Mr. Gall said once we complete Phase III, what we have left is called heavy duty traffic coating is the main item left. That's going to be close to \$200,000. That would be Phase IV and that would be about the end of the list of

things that was developed 2-2½ years ago. Mr. Oates said once we get to that point, that we get the coating on, is it my assumption then at that point we won't have somebody coming back to the Redevelopment Commission and saying we need these capital improvements, that the regular maintenance will keep us out of this situation? Am I correct in saying that? Mr. Gall said that's the goal.

There were no further questions or comments and the motion to approve the payment of claims passed unanimously 4 – 0.

Mr. Belter said the next item of business is a Restated Parking Management Agreement. This is for the parking garage at Wabash Landing. Jim Curtis is here from Sheehan Development which is a major partner, if not the primary partner, in the Wabash Landing development. It's my understanding you're in the process of refinancing the development down there and the bank wants to see the Parking Management Agreement extended. Mr. Curtis answered that's correct. Mr. Bauman said the term of the original agreement was 15 years. Mr. Oates said we're now eight years into it. Mr. Bauman reviewed the other change that had been made.

The Commissioners expressed their satisfaction with the garage management to date, but had several questions regarding some of the language of the restated parking management agreement. Mr. Belter said rather than negotiate the details of the agreement at this meeting, my suggestion is that City Attorney Bauman meet with Mr. Curtis and Mr. Oates and try and come up with a modification to the agreement that addresses the concerns and meets the needs of both the City and the developer. I'm in complete favor of renegotiating the term because they have demonstrated that they are doing a good job. We can come up with a negotiation that works for both sides. A special meeting of the Redevelopment Commission was scheduled for December 3, 2007 at noon. *(Meeting was later canceled due to incomplete agreement.)*

Mr. Nay asked Mr. Curtis for an update on the leasing and rentals of Wabash Landing. Mr. Curtis said we just had a grand opening on Friday with a spa, Roly Poly has moved out and we have Yats, a Cajun/Creole food business, and they should be open by year end. We have a great group of tenants in there who have all done well and continue to do well each year. The spa is over 4,000 square feet. We continue to have interest; we have others in the works that we can't talk about right now. It was very slow at the beginning because there was all kinds of construction going on. The construction is pretty much done and we continue to lease it up. It just keeps getting better. We haven't had too much turnover.

Mr. Belter said the other two components are the apartments and the hotel. Mr. Curtis said both continue to do well. The apartments are 100% occupied now. The hotel is always at 80% to 100% occupancy. Mr. Belter said they got an award from the Hilton chain. Mr. Curtis said it's almost embarrassing, the manager keeps going up to get an award, every time they call awards. They've done very well. It's very clean. It still looks new. It's very welcoming; I think the people love staying there. I wish we had another 30 rooms.

Mr. Nay asked what are the terms of the agreement between the hotel and the parking garage? How long will that last? Mr. Curtis answered it's like the retail and the apartments; it will continue. Mr. Nay said does it have a term? Is it renewed every year? Mr. Curtis answered I'm not sure. Mr. Gall said I understand that there are a number of spaces that are owned and titled by the apartment building. I just wanted to make sure that everybody understands that part of the garage is actually owned by the apartment operator.

Mr. Belter said we have not moved to adopt the Restated Parking Agreement, so we don't need a formal action at this point.

The next item of business was the **Resolution RC 2007-18**. Mr. Oates made a motion to approve Resolution RC 2007-18 Appropriating Funds from the Sagamore Parkway Development Area Allocation Fund to Pay Expenses of the Commission for Certain Local Public Improvements In or Serving the Allocation Area. Mr. Nay seconded.

Mr. Belter said we are allocating \$400 which is a portion of the fees paid to our financial advisor, Umbaugh and Associates, for certification fees due for the Bond holders and for the Department of Local Government Finance on TIF for reports that they require. Mr. Bauman said in the case of the Sagamore TIF, it's just the DLGF, there are no Bond holders there.

Mr. Belter asked if there were any questions or comments from the Commission.

Mr. Belter opened the Public Hearing for Resolution RC 2007-18. Mr. Belter asked is there anybody from the public who would like to comment on this appropriation?

Councilor O'Callaghan said I would like to say as a member of the Sagamore Parkway task force, I really commend the Commission on the way that they implement some of the recommendations from the task force. This made a real big difference on Sagamore Parkway and I'm pleased about that. This is just a necessary part of continuing that TIF district.

There were no further comments and the Public Hearing was closed. The motion to approve Resolution RC 2007-18 passed unanimously 4 – 0.

The next item of business was **Resolution RC 2007-19**. Mr. Oates made a motion to adopt RC 2007-19 Appropriating Funds from the Levee/Village Redevelopment Area Surplus Fund to Pay Expenses of the Commission for Certain Local Public Improvements in or Serving the Allocation Area. Ms. Damico seconded.

Mr. Belter said \$5,000 is for the Umbaugh services, the \$525,000 is for Utility Improvements. Mr. Gall said keeping a commitment that you made to pay for the infrastructural work which is a new sanitary line and separation of storm water from the sanitary. It is the entire cost of that project; that everyone knew as the Salisbury Sewer

Project this past summer. Mr. Belter said which is related to the Fleischhauer Project. Mr. Gall said it is related to the Fleischhauer Project. It also took advantage of the opportunity to make some infrastructural changes there by getting the storm and sanitary in that area separated out. This is the cost of that project less asphalt surfacing, patching and repair that we're dealing with in the other appropriation. This would pay Wastewater back for that project, which is the commitment that you made when the Fleischhauer Project came up as a possibility.

Mr. Oates said if you recall, that was during the time period when we were funding the fire truck, and I don't believe we had enough money in the surplus account at that time, because of when the tax funds were going to be allocated to be able to do that. It was the right time to do the right project to get to the right place. We have made that commitment to the Wastewater Department that we would pay them back. Mr. Belter said it was much more convenient and financially more prudent to borrow that money from the Wastewater Department than it was to bond it at the time. Ms. Hoyer said this is a really good example of our focus for economic development in that area. Our approach to it was called to our attention by the building of the Fleischhauer Project. Beyond that, this was really key work that needed to be done by the City at some point. We took advantage of some opportunities.

Mr. Belter said Bill Fleischhauer is putting somewhere between \$30M and \$40M into that project. It's a huge development and it's clearly an asset to the community and to the assessed valuation of the City.

Mr. Belter asked if there was any other discussion by the Commission.

Mr. Belter opened the Public Hearing for Resolution RC 2007-19 which proposes to spend money both for our financial consultants and to reimburse the Wastewater Plant for work they paid for in the vicinity of the Fleischhauer Apartments. Mr. Belter asked is there anybody from the public who would like to comment on this appropriation?

Ms. Rhodes said is the Redevelopment Commission planning, now that it has paid for this sewer improvement, is it planning to give it back to the utility. Mr. Belter said yes, absolutely. Mr. Oates asked do we need a separate action? Ms. Rhodes said yes, you basically do, because we're going to have to book it as a Redevelopment Commission asset unless you will outright make some kind of motion and indicate your intention to make a contribution to Wastewater. Mr. Bauman said we're just reimbursing the Wastewater Department. They already own it. This is just the flow of funds.

There were no further comments and the Public Hearing was closed. The motion to approve Resolution RC 2007-19 passed unanimously 4 – 0.

At this time Mr. Oates made a motion to establish **Resolution RC 2007-22** that any ownership interest that the Redevelopment Commission has in the Salisbury Street Utility Separation Project for which we have reimbursed the Wastewater Department \$525,000 be transferred to the West Lafayette Wastewater Treatment Utility. Ms. Damico seconded.

Mr. Belter asked if there was any further discussion. There was none and the motion to adopt Resolution RC 2007-22 passed unanimously 4-0.

The next item of business was **Resolution RC 2007-20**. Mr. Oates made a motion to adopt Resolution RC 2007-20 Appropriating Funds from the Kalberer/Cumberland/Blackbird Development Area Surplus Fund to Pay Expenses of the Commission for Certain Local Public Improvements in or Serving the Allocation Area. Mr. Nay seconded.

Mr. Belter said this is, again, consulting by our financial advisors, Umbaugh and Associates. Is there any discussion by the Commission?

Mr. Belter opened the Public Hearing for Resolution RC 2007-20. Is there anybody from the public who has a comment? Ms. Rhodes asked has Umbaugh and Associates filed their invoices for the Department of Development already? Ms. Martin answered yes.

There were no further comments and the Public Hearing was closed. The motion to approve Resolution RC 2007-20 passed unanimously 4 – 0.

Mr. Belter said the next item of business is **Resolution RC 2007-21** which is an agreement with Purdue Research Foundation. Mr. Nay made a motion to adopt Resolution RC 2007-21 which is an agreement with Purdue Research Foundation related to the Certified Technology Park. Ms. Damico seconded.

Mr. Greg Napier, Assistant Director of Real Estate PRF, gave brief explanation of PRF's plan. He said our intentions are to locate another business incubator at Purdue Technology Center. He showed the location of the planned site on a drawing of the new development. Mr. Napier said the first phase of development is a technology center that will be divided into three phases. Our intention is to build the first phase located directly south of the roundabout. This will be a great asset to the Research Park. The initial building will be around 105,000 square feet. He showed the Commission a rendering of how the building would eventually look. Mr. Napier continued with we're very excited about this opportunity to create more jobs in our community. Our current technology center is full and most of our technology centers within the Park are at capacity. The Ross Enterprise Center is 85% full. We're running out of room very quickly, which is a good problem. The building itself is based off of the same concept as the other technology centers. We're using common spaces that will allow for communal use of conference rooms and lobbies. We'll also be looking at the development of offices and labs. This building will have a large lobby/atrium two-story area. Our largest conference room will be twice the size of the conference rooms that we have now.

Ms. Damico asked when this is up and full and running, how many total employees are there in the Park? Mr. Peoples said right now we're at about 2900 in the Research Park. There are 145 companies in Phase I and Phase II. The Certified Tech Park where this building is going to be located, has 77 companies located there. Mr.

Peoples continued with in an incubator building of this size, in the 100,000 square foot range, we would hope to see 26 to 30 companies as an optimum balance. The interesting thing about new business incubation is we have many companies that are one or two people in one office and then we have larger companies still incubating that may have 25 or 30 employees.

Mr. Bauman said then a lot of the real successful ones move out of the incubation facility and into one of the other spaces out there. Mr. Peoples said correct, this incubation program has actually graduated 38 companies out of incubation. Probably a good example of the program would be SSCI; Sally Byrnes started in a sewing room, moved into the incubation facility, grew her company over 15 years and actually bought the Innovation Place from the Research Foundation. That is exactly the model, incubate, grow, graduate and set up.

Mr. Bauman said the City staff and the Mayor have been having discussions with PRF for some months now to try to work towards this agreement committing the Certified Tech Park funds towards this next incubator because they are out of space and it's critical to have that space and have a pipeline for bringing new companies forward for Research Park growth. Mr. Andrew said we're capped at \$5M currently. The remainder of that \$5M is what's in here, the \$4,572,535.63. Mr. Bauman stated this is an important piece in the package of PRF being able to put together the funding to go forward with incubator at this time. The Redevelopment Commission also participated with the first Purdue Technology Center and assisted with that development. Mr. Oates asked what is the total cost of the project? Mr. Peoples answered it's estimated to be around \$14M for Phase I. The funding that we're speaking of is critical for that to be possible.

Mr. Belter said as a background, the area of the Research Park was the first certified technology park in the state. The concept behind the Certified Technology Park was an economic development tool to help improve the attraction and growth of technology companies in Indiana. The funding mechanism that we are using here includes income tax increment and sales tax increment which is to say it's like TIF uses the increment in property taxes, the Certified Tech Park as we've implemented it includes sales tax increment and income tax increment. In other parts of the state it also includes property tax TIF revenue, but this was already in a TIF district. The sales tax and the income tax increment are collected by the State; a portion of that is directed back towards improvements in the Certified Tech Park. Our role in that is, we are by state law, the fiduciary agent. The original application for a certified technology park was written in most part by the folks in the Research Foundation, but it was submitted by the Redevelopment Commission to the State. When the State collects those things and directs it back towards the Technology Park, we act as the fiduciary agent to take the money and approve the expenditures. If I understand the agreement correctly, we're just pledging the way we are going to use the remaining money that we expect to receive from the State that we want to put towards the construction of the Purdue Technology Center II. The cap that Josh mentioned is written in the State law as a maximum amount of money currently that a certified technology park can accumulate from the State which is \$5M. We think that's a cap that should be lifted. Fortunately we have by far the most



successful technology park in the State, so we're going to hit that \$5M before very long. Our argument to the State legislature is they shouldn't penalize us for being successful. The goal of attracting jobs is still a valid one once we get the \$5M. As I understand it, Greg (Napier) is putting together the financing package that allows you to take this out to bid. Mr. Napier said currently there's a master floor package that has been awarded to prepare a pad to give us kind of a jump start in the spring. The building itself will be bid this winter.

Mr. Oates made a motion to amend the fifth paragraph of the Resolution to read as follows: "WHEREAS, in order to enable the construction of the Purdue Technology Center II and to enable the location and incubation of additional new and growing high technology businesses in the Purdue Research Park, the WLRDC desire to pledge the remaining balance of the Increment to be received from the State of Indiana in connection with the Certified Technology Park designation, in the approximate amount of \$4,572,535.63 to the construction of the Purdue Technology Center II, including the reimbursement of PRF of its construction. WLRDC's obligation under this Resolution is only for those funds received from the State of Indiana in conjunction with the Certified Technology Park designation;" Mr. Nay seconded.

Mr. Belter asked if there was any additional discussion. Ms. Rhodes asked are you intending that all the distributions from the State plus the interest earnings be put to the purposes specified in this Resolution or only the increment? We have \$1.7M in the fund now. My question is do you want to make that interest available for this project, or do you just only want the increment? Mr. Oates said I think we should leave the interest alone right now. There are always cost overruns on all these projects anyway and they can come back to us and say it would be real nice if you could help us out again. We're not going to know what that interest number is going to be.

Mr. Belter asked if there were any further questions from the Commission or the public. None were made and the motion to approve the amendment passed unanimously 4-0.

Ms. Damico asked what is the timeline for the building? Mr. Napier answered it will probably be the first of 2009. It will take about 13 -14 months. Mr. Belter said the Research Foundation is doing a tremendous job and the University is also doing a tremendous job with this and I'm glad we can help.

There was no further discussion and the motion to approve Resolution RC 2007-21 passed unanimously 4-0.

Mr. Belter asked if there was any other business. Mr. Andrew said Tom Gall would like to discuss Phase III of the Wabash Landing Parking Garage repairs. Mr. Gall said I'd like your permission to go out for bid for that project with the money that you have previously appropriated. You have a copy of the notice to bidders and a summary of the project. Basically, we are proceeding on to the next phase. It's a lot of work; the beginnings of some of the lighter deck coatings and sealants and such. The plan will be available on November 26 and bids will be due on December 11 at the Board of Works meeting. I intend to review those and come to you on your Monday, December 17<sup>th</sup>

meeting so that you can enter into an agreement prior to the end of the year on that appropriation. Mr. Gall continued with because of the size of the project, it has to be bid and not quoted and you need to give your permission to put these documents out for bid.

Mr. Oates made a motion that the Redevelopment Commission direct the Department of Development and our representative, Tom Gall, to prepare the necessary bid documents for the Wabash Landing Garage Capital Repairs Phase III. Ms. Damico seconded. The motion passed unanimously 4-0.

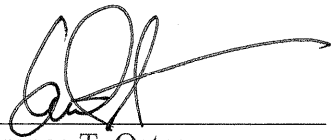
The Commission confirmed the following meetings:

**Monday, December 3, at noon**  
(Special Meeting for Restated Parking Management Agreement)

**Monday, December 17 at 12:00 noon**  
**Wednesday, January 2, 2008 at 4:00 p.m.**

Ms. Martin said Joe Payne will be here at the December 17<sup>th</sup> meeting and he will be asking for an additional appropriation from the KCB TIF of \$15,000 for Cumberland Park Asphalt Paving.

Mr. Belter said the last item of business is public comment. There was none. Mr. Nay made a motion to adjourn. Mr. Oates seconded. The meeting adjourned at 1:20 p.m.

  
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Lawrence T. Oates  
Recording Secretary

Approved:

  
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Stephen E. Belter, President

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